

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division

FILED
IN OPEN COURT
AUG 17 2016
CLERK, U.S. DISTRICT COURT
NORFOLK, VA

UNITED STATES OF AMERICA)
v.) CRIMINAL NO. 2:16cr 117
DAVID ALEJANDRO BARRAGAN-TORRES,)
a/k/a "Pollo,") 21 U.S.C. § 846
and,) Conspiracy to Distribute and Possess
JOSE LUIS GIL-VILLEGRAS,) with Intent to Distribute Cocaine
Defendants.) (Count 1)
) 21 U.S.C. § 841(a)(1)
) Possess with Intent to Distribute
) Cocaine
) (Count 2)
) 21 U.S.C. § 853
) Forfeiture Allegation

INDICTMENT

August 2016 Term - at Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE

From on or about May 24, 2016 and continuing thereafter until on or about June 2, 2016, in the Eastern District of Virginia and elsewhere, the defendants, DAVID ALEJANDRO BARRAGAN-TORRES, a/k/a "Pollo," and JOSE LUIS GIL-VILLEGRAS, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree with other persons, both known and unknown, to commit one or more of the following offenses:

1. To unlawfully, knowingly and intentionally distribute and possess with intent to distribute five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

OVERT ACTS

In furtherance of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Virginia, and elsewhere.

1. On or about May 24, 2016, DAVID ALEJANDRO BARRAGAN-TORRES, a/k/a "Pollo," flew by commercial airliner from El Paso, Texas to Norfolk, in the Eastern District of Virginia.
2. On or about, June 2, 2016, at Virginia Beach, in the Eastern District of Virginia, DAVID ALEJANDRO BARRAGAN-TORRES, a/k/a "Pollo," paid an individual approximately \$8,000 in cash and took possession of a bag containing approximately five (5) kilograms of cocaine.
3. On or about June 2, 2016, in the Eastern District of Virginia, JOSE LUIS GIL-VILLEGRAS and DAVID ALEJANDRO BARRAGAN-TORRES, a/k/a "Pollo," possessed with intent to distribute approximately five (5) kilograms of cocaine.
4. On or about June 2, 2016, at Virginia Beach, in the Eastern District of Virginia, JOSE LUIS GIL-VILLEGRAS possessed approximately \$9,260 in cash at a residence on Shagbark Road.
5. On or about June 2, 2016, at Virginia Beach, in the Eastern District of Virginia, JOSE LUIS GIL-VILLEGRAS possessed approximately 10 kilograms of marihuana, a loaded .380 caliber semi-automatic firearm and approximately \$2,060 in cash inside a storage unit on General Booth Boulevard.

(All in violation of Title 21, United States Code, Section 846.)

COUNT TWO

On or about June 2, 2016, in the Eastern District of Virginia, the defendants, DAVID ALEJANDRO BARRAGAN-TORRES, a/k/a “Pollo,” and JOSE LUIS GIL-VILLEGRAS, did unlawfully, knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A) and Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

THE GRAND JURY FURTHER ALLEGES AND FINDS PROBABLE CAUSE THAT:

The defendants, DAVID ALEJANDRO BARRAGAN-TORRES, a/k/a “Pollo,” and JOSE LUIS GIL-VILLEGRAS, if convicted of any of the violations alleged in this Indictment, as part of the sentencing of the defendant pursuant to F.R.Cr.P. 32.2 and 21 U.S.C. § 853, shall forfeit to the United States:

- a. Any property, real or personal used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation;
- b. Any property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the violation; and,
- c. Any other property of the defendant up to the value of the property subject to forfeiture above, if any property subject to forfeiture above, (a) cannot be located upon the exercise of due diligence, (b) has been transferred to, sold to, or deposited with a third person, (c) has been placed beyond the jurisdiction of the Court, (d) has been substantially diminished in value, or (e) has been commingled with other property that cannot be subdivided without difficulty.

(All in accordance with Title 21, United States Code, Section 853.)

United States v. David Alejandro Barragan-Torres, a/k/a "Pollo," et al.
Criminal No. 2:16cr 117

A TRUE BILL:

Redacted

FOREPERSON

DANA J. BOENTE
UNITED STATES ATTORNEY

By:

Darryl J. Mitchell

Darryl J. Mitchell
Assistant United States Attorney
Virginia Bar No. 37411
Attorney for the United States
United States Attorney's Office
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Office Number - 757-441-6331
Facsimile Number - 757-441-6689
E-Mail Address - darryl.mitchell@usdoj.gov